

PENNIE & EDMONDS DOCKET NO. 7639-028-999

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the specification of which is attached hereto unless one of the following boxes is checked:

☒ the specification was filed in the United States on April 27, 1995 as Application Serial No. 08/430,938 (for declaration not accompanying application) with amendment(s) filed on _____ (if applicable)

☐ the specification was filed as PCT international application Serial No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/234,145	04/28/94		X	
08/112,348	08/27/93		X	
08/031,801	03/15/93		X	
07/919,297	07/24/92		X	
07/610,515	11/08/90		X	
07/466,008	01/12/90			X

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaanni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30,605), Steven I. Wallach (Reg. No. 35,402), and Marcia H. Sundeen (Reg. No. 30893), all of Pennie & Edmonds, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711				DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS DOCKETING (212) 790-2803	
201	FULL NAME OF INVENTOR	LAST NAME Kucherlapati	FIRST NAME Raju	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Darien	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 8 Gracie Lane	CITY Darien	STATE OR COUNTRY Connecticut	ZIP CODE 06820
202	FULL NAME OF INVENTOR	LAST NAME Jakobovits	FIRST NAME Aya	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Menlo Park	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP Israel	
	POST OFFICE ADDRESS	STREET 2021 Monterey Avenue	CITY Menlo Park	STATE OR COUNTRY California	ZIP CODE 94025
203	FULL NAME OF INVENTOR	LAST NAME Klapholz	FIRST NAME Sue	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Stanford	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 76 Peter Coultts Circle	CITY Stanford	STATE OR COUNTRY California	ZIP CODE 94305
204	FULL NAME OF INVENTOR	LAST NAME Brenner	FIRST NAME Daniel	MIDDLE NAME G.	
	RESIDENCE & CITIZENSHIP	CITY San Mateo	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 904 Barneson Avenue	CITY San Mateo	STATE OR COUNTRY California	ZIP CODE 94402
205	FULL NAME OF INVENTOR	LAST NAME Capon	FIRST NAME Daniel	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Hillsborough	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 Raju Kucherlapati	SIGNATURE OF INVENTOR 202 Aya Jakobovits	SIGNATURE OF INVENTOR 203 Sue Klapholz
DATE _____, 1995	DATE _____, 1995	DATE _____, 1995
SIGNATURE OF INVENTOR 204  Daniel G. Brenner	SIGNATURE OF INVENTOR 205 Daniel J. Capon	SIGNATURE OF INVENTOR 206
DATE 18 October, 1995	DATE _____, 1995	DATE

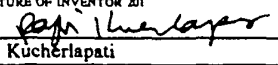
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2 0 1	FULL NAME OF INVENTOR	LAST NAME Kucherlapati	FIRST NAME Raju	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Darien	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 8 Gracie Lane	CITY Darien	STATE OR COUNTRY Connecticut	ZIP CODE 06820
2 0 2	FULL NAME OF INVENTOR	LAST NAME Jakobovits	FIRST NAME Aya	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Menlo Park	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP Israel	
	POST OFFICE ADDRESS	STREET 2021 Monterey Avenue	CITY Menlo Park	STATE OR COUNTRY California	ZIP CODE 94025
2 0 3	FULL NAME OF INVENTOR	LAST NAME Klapholz	FIRST NAME Sue	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Stanford	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 76 Peter Coutts Circle	CITY Stanford	STATE OR COUNTRY California	ZIP CODE 94305
2 0 4	FULL NAME OF INVENTOR	LAST NAME Brenner	FIRST NAME Daniel	MIDDLE NAME G.	
	RESIDENCE & CITIZENSHIP	CITY Redwood City	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 36 Central Avenue	CITY Redwood City	STATE OR COUNTRY California	ZIP CODE 94601
2 0 5	FULL NAME OF INVENTOR	LAST NAME Capon	FIRST NAME Daniel	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Hillsborough	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

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SIGNATURE OF INVENTOR 201 Raju Kucherlapati	SIGNATURE OF INVENTOR 202 Aya Jakobovits	SIGNATURE OF INVENTOR 203 <i>Sue Klapholz</i> Sue Klapholz
DATE _____, 1995	DATE _____, 1995	DATE Oct. 30, 1995
SIGNATURE OF INVENTOR 204 Daniel G. Brenner	SIGNATURE OF INVENTOR 205 Daniel J. Capon	SIGNATURE OF INVENTOR 206
DATE _____, 1995	DATE _____, 1995	DATE

SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711				DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS DOCKETING (212) 790-2803	
2 0 1	FULL NAME OF INVENTOR	LAST NAME Kucheralapati	FIRST NAME Raju	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Darien	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 8 Gracie Lane	CITY Darien	STATE OR COUNTRY Connecticut	ZIP CODE 06820
2 0 2	FULL NAME OF INVENTOR	LAST NAME Jakobovits	FIRST NAME Aya	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Menlo Park	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP Israel	
	POST OFFICE ADDRESS	STREET 2021 Monterey Avenue	CITY Menlo Park	STATE OR COUNTRY California	ZIP CODE 94025
2 0 3	FULL NAME OF INVENTOR	LAST NAME Klapholz	FIRST NAME Sue	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Stanford	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 76 Peter Coutts Circle	CITY Stanford	STATE OR COUNTRY California	ZIP CODE 94305
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	POST OFFICE ADDRESS	STREET 904 Barneson Avenue	CITY San Mateo	STATE OR COUNTRY California	ZIP CODE 94402
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	RESIDENCE & CITIZENSHIP	CITY Hillsborough	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

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SIGNATURE OF INVENTOR 201  Raju Kucheralapati	SIGNATURE OF INVENTOR 202 Aya Jakobovits	SIGNATURE OF INVENTOR 203 Sue Klapholz
DATE November 3, 1995	DATE 1995	DATE 1995
SIGNATURE OF INVENTOR 204 Daniel G. Brenner	SIGNATURE OF INVENTOR 205 Daniel J. Capon	SIGNATURE OF INVENTOR 206
DATE 1995	DATE 1995	DATE

SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711				DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS DOCKETING (212) 790-2803	
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	RESIDENCE & CITIZENSHIP	CITY Darien	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 8 Gracie Lane	CITY Darien	STATE OR COUNTRY Connecticut	ZIP CODE 06820
202	FULL NAME OF INVENTOR	LAST NAME Jakobovits	FIRST NAME Aya	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Menlo Park	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP Israel	
	POST OFFICE ADDRESS	STREET 2021 Monterey Avenue	CITY Menlo Park	STATE OR COUNTRY California	ZIP CODE 94025
203	FULL NAME OF INVENTOR	LAST NAME Klapholz	FIRST NAME Sue	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Stanford	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 76 Peter Coultts Circle	CITY Stanford	STATE OR COUNTRY California	ZIP CODE 94305
204	FULL NAME OF INVENTOR	LAST NAME Brenner	FIRST NAME Daniel	MIDDLE NAME G.	
	RESIDENCE & CITIZENSHIP	CITY Redwood City	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 86 Central Avenue	CITY Redwood City	STATE OR COUNTRY California	ZIP CODE 94601
205	FULL NAME OF INVENTOR	LAST NAME Capon	FIRST NAME Daniel	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Hillsborough	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

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SIGNATURE OF INVENTOR 201 Raju Kucheralapati	SIGNATURE OF INVENTOR 202 <i>Aya Jakobovits</i> Aya Jakobovits	SIGNATURE OF INVENTOR 203 Sue Klapholz
DATE _____, 1995	DATE 9/28/95, 1995	DATE _____, 1995
SIGNATURE OF INVENTOR 204 Daniel G. Brenner	SIGNATURE OF INVENTOR 205 <i>Daniel J. Capon</i> Daniel J. Capon	SIGNATURE OF INVENTOR 206
DATE _____, 1995	DATE 9/28/95, 1995	DATE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Suzanne E. Ziska
Group : 1804
Applicants : Kucherlapati et al.
Serial No. : 08/430,938
Filed : April 27, 1995
For : HUMAN ANTIBODIES DERIVED FROM IMMUNIZED
XENOMICE

Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

REVOCATION OF POWER OF ATTORNEY
AND
POWER OF ATTORNEY

Sir:

ABGENIX, the assignee of the entire right, title and interest in and to the above-identified patent application by virtue of an assignment submitted for recordation on August 28, 1997 (copy enclosed), hereby revokes all previous powers of attorney and appoints the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office in connection therewith:

James F. Haley, Jr.	Registration No. 27,794
Margaret A. Pierri	Registration No. 30,709
Madge R. Kanter	Registration No. 35,211
Jane T. Gunnison	Registration No. 38,479
Barbara A. Ruskin	Registration No. 39,350

c/o FISH & NEAVE
1251 Avenue of the Americas - 50th Floor
New York, New York 10020
Tel.: (212) 596-9000

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Please address all correspondence and direct all
telephone calls regarding the application to:

James F. Haley, Jr., Esq.
c/o FISH & NEAVE
1251 Avenue of the Americas - 50th Floor
New York, New York 10020
Tel.: (212) 596-9000

ABGENIX

By

Name:

Raymond M. Withy, Ph.D.

Title:

VP, Corporate Development

Date:

9/4/97